

## TRAFFIC IN SPIRITUOUS LIQUORS

*Agreement signed at Washington May 14, 1884*

*Senate advice and consent to ratification June 28, 1884*

*Ratified by the President of the United States June 30, 1884*

*Ratified by Siam June 30, 1884*

*Ratifications exchanged at Washington June 30, 1884*

*Entered into force June 30, 1884*

*Proclaimed by the President of the United States July 5, 1884*

*Replaced September 1, 1921, by treaty of December 16, 1920<sup>1</sup>*

23 Stat. 782; Treaty Series 324

### AGREEMENTS BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND SIAM FOR REGULATING THE TRAFFIC IN SPIRITUOUS LIQUORS

The Government of the United States of America and the Government of His Majesty the King of Siam, being desirous of making satisfactory arrangements for the regulation of the traffic in spirituous liquors in Siam, the undersigned, duly authorized to that effect, have agreed as follows:

#### ARTICLE I

Spirits of all kinds not exceeding in alcoholic strength those permitted to be manufactured by the Siamese Government in Siam may be imported and sold by citizens of the United States on payment of the same duty as that levied by the Siamese excise laws upon spirits manufactured in Siam; and spirits exceeding in alcoholic strength spirits manufactured in Siam as aforesaid may be imported and sold upon payment of such duty, and of a proportionate additional duty for the excess of alcoholic strength above the Siamese Government standard.

Beer and wines may be imported and sold by citizens of the United States on payments of the same duty as that levied by the Siamese excise laws upon similar articles manufactured in Siam, but the duty on imported beer and wines shall in no case exceed 10 per cent. ad valorem.

The said duty on imported spirits, beer, and wines shall be in substitution of, and not in addition to, the import duty of 3 per cent. leviable under the

<sup>1</sup> TS 655, *post*, p. 997.

existing treaties; and no further duty, tax, or imposition whatever shall be imposed on imported spirits, beer, and wines.

The scale of excise duty to be levied upon spirits, beer, and wines manufactured in Siam shall be communicated by the Siamese Government to the Minister Resident and Consul-General of the United States at Bangkok, and no change in the excise duties shall affect citizens of the United States until after the expiration of six months from the date at which such notice shall have been communicated by the Siamese Government to the representative of the United States at Bangkok.

## ARTICLE II

The testing of spirits imported into the kingdom of Siam by citizens of the United States shall be carried out by an expert designated by the Siamese authorities and by an expert designated by the Consul of the United States; in case of difference the parties shall designate a third person, who shall act as umpire, whose decision shall be final.

## ARTICLE III

The Siamese Government may stop the importation by citizens of the United States into Siam of any spirits which, on examination, shall be proved to be deleterious to the public health; and they may give notice to the importers, consignees, or holders thereof to export the same within three months from the date of such notice, and if this is not done the Siamese Government may seize the said spirits and may destroy them, provided always that in all such cases the Siamese Government shall be bound to refund any duty which may have been already paid thereon.

The testing of spirits imported by citizens of the United States, and which may be alleged to be deleterious, shall be carried out in the manner provided by Article II.

The Siamese Government engages to take all necessary measures to prohibit and prevent the sale of spirits manufactured in Siam which may be deleterious to the public health.

## ARTICLE IV

Any citizen of the United States who desires to retail spirituous liquors, beer, or wines in Siam, must take out a special license for that purpose from the Siamese Government, which shall be granted upon just and reasonable conditions to be agreed upon from time to time between the two Governments.

## ARTICLE V

Citizens of the United States shall at all times enjoy the same rights and privileges in regard to the importation and sale of spirits, beer, wines, and spirituous liquors in Siam as the subjects of the most favored nation; and

spirits, beer, wines, and spirituous liquors coming from the United States shall enjoy the same privileges in all respects as similar articles coming from any other country the most favored in this respect.

It is therefore clearly understood that citizens of the United States are not bound to conform to the provisions of the present agreement to any greater extent than the subjects of other nations are so bound.

#### ARTICLE VI

Subject to the provisions of Article V, the present Agreement shall come into operation on a date to be fixed by mutual consent between the two Governments, and shall remain in force until the expiration of six months' notice given by either party to determine the same.

The existing treaty engagements between the United States and Siam shall continue in full force until the present Agreement comes into operation and after that date, except in so far as they are modified hereby.

Should the present Agreement be terminated, the treaty engagements between the United States and Siam shall revive, and remain as they existed previously to the signature hereof.

#### ARTICLE VII

In this agreement the words "citizen of the United States" shall include any naturalized citizen of the United States, and the words "Consul-General of the United States" shall include any consular officer of the United States in Siam.

The present agreement shall be ratified, and its ratification shall be exchanged as soon as possible.

In witness whereof, the undersigned have signed the same in duplicate, and have affixed thereto their seals.

Done at Washington, the fourteenth day of May, 1884, corresponding to the fifth day of the waning moon of the month of Visagamas, of the year Wauk, sixth Decade 1246 of the Siamese astronomical era.

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